

SHB 1820 - H AMD 1259

By Representative Liias

ADOPTED 02/29/2012

1 Strike everything after the enacting clause and insert the
2 following:

3
4 NEW SECTION. **Sec. 1.** There is currently no system in place in
5 Washington state to expedite the apprehension of violent criminals who
6 seriously injure or kill local, state, or federal law enforcement
7 officers. Other states have adopted blue alert systems to achieve
8 this objective. The legislature declares that it is necessary to
9 create a statewide blue alert system to speed the apprehension of
10 violent criminals who kill or seriously injure local, state, or
11 federal law enforcement officers.

12
13 NEW SECTION. **Sec. 2.** The definitions in this section apply
14 throughout this chapter unless the context clearly requires otherwise.

15 (1) "Blue alert system" means a quick response system designed to
16 issue and coordinate alerts following an attack upon a law enforcement
17 officer.

18 (2) "Investigating law enforcement agency" means the law
19 enforcement agency that has primary jurisdiction over the area or has
20 been delegated and accepted investigatory responsibility in which a
21 law enforcement officer has been seriously injured or killed.

22 (3) "Law enforcement agency" means a general law enforcement
23 agency as defined in RCW 10.93.020 and a limited law enforcement
24 agency as defined in RCW 10.93.020. Such agencies shall include, but
25 are not limited to, the following:

26 (a) The Washington state patrol;

27

1 (b) All law enforcement agencies and police departments of any
2 political subdivision of the state; and

3 (c) The department of corrections.

4 (4) "Law enforcement officer" includes police officers, the
5 attorney general and the attorney general's deputies, sheriffs and
6 their regular deputies, corrections officers, tribal law enforcement
7 officers, park rangers, state fire marshals, municipal fire marshals,
8 sworn members of the city fire departments, county and district fire
9 fighters, and agents of the department of fish and wildlife. "Law
10 enforcement officer" also includes an employee of a federal
11 governmental agency who is authorized by law to engage in or supervise
12 the prevention, detection, investigation, or prosecution of, or the
13 incarceration of any person for, any violation of law, and who has
14 statutory powers of arrest.

15 (5) "Officer's employing law enforcement agency" means the law
16 enforcement agency by which the officer is employed.

17
18 NEW SECTION. **Sec. 3.** (1) Within existing resources, the
19 Washington state patrol, in partnership with the Washington
20 association of sheriffs and police chiefs, shall develop and implement
21 a plan, commonly known as a blue alert system, consistent with the
22 Amber alert program, endangered missing person advisory plan, and the
23 missing person clearinghouse, for voluntary cooperation between local,
24 state, tribal, and other law enforcement agencies, state government
25 agencies, radio and television stations, and cable and satellite
26 systems to enhance the public's ability to assist in apprehending
27 persons suspected of killing or seriously injuring a law enforcement
28 officer. The blue alert system shall include the following:

29 (a) Procedures to provide support to the investigating law
30 enforcement agency as a resource for the receipt and dissemination of
31 information regarding the suspect and the suspect's whereabouts and/or
32 method of escape;

33 (b) The process for reporting the information to designated media
34 outlets in Washington; and

1 (c) Criteria for the investigating law enforcement agency to
2 determine quickly whether an officer has been seriously injured or
3 killed and a blue alert therefore needs to be requested.

4 (2) The investigating law enforcement agency may request
5 activation of the blue alert system and notify appropriate
6 participants in the blue alert system, when the investigating law
7 enforcement agency believes that:

8 (a) A suspect has not been apprehended;

9 (b) A suspect may be a serious threat to the public;

10 (c) Sufficient information is available to disseminate to the
11 public that could assist in locating and apprehending the suspect;

12 (d) Release of the information will not compromise the
13 investigation; and

14 (e) Criteria to ensure that releasing the victim information is
15 proper, as to avoid improper next of kin notification.

16 (3) When a blue alert is activated, the investigating law
17 enforcement agency shall provide descriptive information under the
18 criminal justice information act, chapter 10.98 RCW, and the national
19 crime information center system.

20 (4) The investigating law enforcement agency shall terminate the
21 blue alert with respect to a particular suspect when the suspect is
22 located or the incident is otherwise resolved, or when the
23 investigating law enforcement agency determines that the blue alert
24 system is no longer an effective tool for locating and apprehending
25 the suspect.

26
27 NEW SECTION. **Sec. 4.** No cause of action shall be maintained for
28 civil damages in any court of this state against any radio or
29 television broadcasting station or cable television system, or the
30 employees, officers, directors, managers, or agents of the radio or
31 television broadcasting station or cable television system, based on
32 the broadcast of information supplied by law enforcement officials
33 pursuant to the provisions of this chapter. Nothing in this section
34 shall be construed to limit or restrict in any way any immunity or

1 privilege a radio or television broadcasting station or cable
2 television system may have under statute or common law for
3 broadcasting or otherwise disseminating information.

4
5 NEW SECTION. **Sec. 5.** If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.

9
10 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act constitute
11 a new chapter in Title 10 RCW."

12
13 Correct the title.

EFFECT: Changes the definition of "law enforcement officer" to
include tribal law enforcement officers, county and district fire
fighters, and park rangers. Eliminates the effective date. Requires
the implementation of the Act to be done within existing resources.

--- END ---